

**In the United States Court of Federal Claims**  
**OFFICE OF SPECIAL MASTERS**  
**No. 21-2320V**

DEBRA PETERSON,

Petitioner,

v.

SECRETARY OF HEALTH AND  
HUMAN SERVICES,

Respondent.

Chief Special Master Corcoran

Filed: August 22, 2023

*Jeffrey S. Pop, Jeffrey S. Pop & Associates, Beverly Hills, CA, for Petitioner.*

*Jamica Marie Littles, U.S. Department of Justice, Washington, DC, for Respondent.*

**DECISION AWARDING DAMAGES<sup>1</sup>**

On December 21, 2021, Debra Peterson filed a petition for compensation under the National Vaccine Injury Compensation Program, 42 U.S.C. §300aa-10, *et seq.*<sup>2</sup> (the “Vaccine Act”). Petitioner alleges that she suffered Guillain-Barré Syndrome (GBS) after receiving an influenza (flu) vaccination on September 24, 2019. Petition at 1. The case was assigned to the Special Processing Unit of the Office of Special Masters.

On October 24, 2022, a ruling on entitlement was issued, finding Petitioner entitled to compensation for GBS. On August 21, 2023, Respondent filed a proffer on award of compensation (“Proffer”) indicating Petitioner should be awarded \$304,580.20, including \$150,500.00 for pain and suffering, \$17,471.45 for unreimbursed expenses, and \$136,608.75 for lost wages. Proffer at 1-2. In the Proffer, Respondent represented that

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<sup>1</sup> Because this Decision contains a reasoned explanation for the action taken in this case, it must be made publicly accessible and will be posted on the United States Court of Federal Claims’ website, and/or at <https://www.govinfo.gov/app/collection/uscourts/national/cofc>, in accordance with the E-Government Act of 2002. 44 U.S.C. § 3501 note (2018) (Federal Management and Promotion of Electronic Government Services). **This means the Decision will be available to anyone with access to the internet.** In accordance with Vaccine Rule 18(b), Petitioner has 14 days to identify and move to redact medical or other information, the disclosure of which would constitute an unwarranted invasion of privacy. If, upon review, I agree that the identified material fits within this definition, I will redact such material from public access.

<sup>2</sup> National Childhood Vaccine Injury Act of 1986, Pub. L. No. 99-660, 100 Stat. 3755. Hereinafter, for ease of citation, all section references to the Vaccine Act will be to the pertinent subparagraph of 42 U.S.C. § 300aa (2012).

Petitioner agrees with the proffered award. *Id.* Based on the record as a whole, I find that Petitioner is entitled to an award as stated in the Proffer.

Pursuant to the terms stated in the attached Proffer, **I award Petitioner a lump sum payment of \$304,580.20, including \$150,500.00 for pain and suffering, \$17,471.45 for unreimbursed expenses, and \$136,608.75 for lost wages in the form of a check payable to Petitioner.** This amount represents compensation for all damages that would be available under Section 15(a).

The Clerk of Court is directed to enter judgment in accordance with this decision.<sup>3</sup>

**IT IS SO ORDERED.**

**s/Brian H. Corcoran**

Brian H. Corcoran  
Chief Special Master

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<sup>3</sup> Pursuant to Vaccine Rule 11(a), entry of judgment can be expedited by the parties' joint filing of notice renouncing the right to seek review.

DEBRA PETERSON,	)	
	)	
Petitioner,	)	
	)	
v.	)	No. 21-2320V
	)	Chief Special Master Corcoran
SECRETARY OF HEALTH	)	ECF
AND HUMAN SERVICES,	)	
	)	
Respondent.	)	
	)	

<sup>1</sup> This Proffer does not include attorneys' fees and costs, which the parties intend to address after the Damages Decision is issued.

\$17,471.45 for unreimbursed expenses, and \$136,608.75 for lost wages. This amount represents all elements of compensation to which petitioner is entitled under 42 U.S.C. § 300aa-15(a).

Petitioner agrees.

**III. Form of the Award**

Respondent recommends that the compensation be provided to petitioner through a lump sum payment, as described below, and requests that the Chief Special Master's decision and the Court's judgment award the following: A lump sum payment of **\$304,580.20** in the form of a check payable to petitioner.<sup>2</sup> Petitioner agrees.

Respectfully submitted,

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<sup>2</sup> Should petitioner die prior to entry of judgment, respondent would oppose any award for future medical expenses, future lost earnings, and future pain and suffering, and the parties reserve the right to move the Court for appropriate relief.

/s Jamica M. Littles

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Dated: August 21, 2023